

7601.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Animal scale and livestock scale.** "Animal scale" and "livestock scale" mean platform scales designed and used to weigh livestock. An animal scale is used to weigh a single animal. A livestock scale is used to weigh several animals. Both have an enclosure and gates built on the scale platform.

Subp. 3. **Commercial; commercial use; commercial purpose.** "Commercial," "commercial use," and "commercial purpose" refer to weights and measures used or located on premises where they could be used to:

A. determine the weight, measure, or count of commodities or things sold, offered, or exposed for sale, on the basis of weight, measure, or count; or

B. compute the basic charge or payment for services rendered on the basis of weight, measure, or count.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Department of Commerce.

Subp. 5. **Department.** "Department" means the Department of Commerce.

Subp. 6. **Director.** "Director" means the director of the Weights and Measures Division of the Department of Commerce.

Subp. 7. **Division.** "Division" means the Weights and Measures Division of the Department of Commerce, and employees of the Weights and Measures Division having statutory authority delegated by the director.

Subp. 8. **Hopper scale.** "Hopper scale" means a scale designed and used to weigh bulk commodities in a container, hopper, box, or tank mounted on the scale.

Subp. 9. **Minimum division.** "Minimum division" means the value of the smallest subdivision or unit that a scale, meter, or other weighing or measuring device is designed to indicate or display.

Subp. 10. **Minnesota seal.** "Minnesota seal" means a security seal placed on commercial weighing and measuring equipment by the division to prevent unauthorized adjustment of the equipment.

Subp. 11. **National Institute of Standards and Technology (NIST).** "National Institute of Standards and Technology" and "NIST" mean the United States Department of Commerce, National Institute of Standards and Technology.

Subp. 12. **National Type Evaluation Program (NTEP).** "National Type Evaluation Program" and "NTEP" mean a program of weighing and measuring device evaluation and certification operated by the National Conference on Weights and Measures (NCWM).

Subp. 13. **Place in service.** "Place in service" means to authorize commercial use of newly installed or repaired weighing and measuring equipment pending an inspection by the division. This type of authorization may only be performed by a registered person.

Subp. 14. **Railway track scale.** "Railway track scale" means a scale of appropriate capacity and design that is used to weigh a rail car.

Subp. 15. **Registered person, registrant.** "Registered person" and "registrant" mean a person who has voluntarily registered with the division and who installs, services, repairs, or reconditions weighing and measuring equipment.

Subp. 16. **Registration certificate.** "Registration certificate" means an annual certificate issued by the division to a person who voluntarily registers with the division and who installs, adjusts, services, repairs, or reconditions commercial weighing and measuring equipment.

Subp. 17. **Scale division.** "Scale division" means the value, in units of mass, of the smallest subdivision or unit that can be indicated by a scale.

Subp. 18. **Sensitivity requirement.** "Sensitivity requirement" means a performance requirement for a scale equipped with a nonautomatic indicator. It is a prescribed change in the rest position of the indicator, caused by a prescribed change in load on the scale. The requirement is stated in terms of scale divisions. For example, a load equivalent to two divisions must cause the prescribed change in the rest position of the indicator.

Subp. 19. **Soil bearing.** "Soil bearing" refers to the load, in units of mass per area, that can be placed upon soil without causing deformation, settling, or soil failure.

Subp. 20. **Vehicle scale.** "Vehicle scale" means a platform scale designed and used to weigh trucks, farm equipment, or other large industrial or highway vehicles in one draft or weighing operation.

Subp. 21. **Weighing and measuring equipment.** "Weighing and measuring equipment" means all weights and measures of every kind, all instruments and devices for weighing and measuring, and any appliances and accessories associated with those instruments and devices, which are used, or located on premises where they could be used, to:

A. determine the weight, measure, or count of commodities or things sold, offered, or exposed for sale on the basis of weight, measure, or count; or

B. compute the basic service charge or payment for services rendered on the basis of weight, measure, or count.

Statutory Authority: *MS s 239.06*

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